

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
CASE NO. 5:21-cv-00173-D**

**TRACIE BEARD**

*Plaintiff,*

**vs.**

**JOHN HIESTER CHEVROLET, LLC,**

*Defendant.*

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**DEFENDANT'S SECOND SUPPLEMENTAL RESPONSE TO PLAINTIFF'S FIRST  
SET OF INTERROGATORIES**

3. Identify the total number of Prerecorded Messages that have been sent.

SUPPLEMENTAL RESPONSE: Defendant does not possess information from which this number could be derived. For the purpose of sending marketing communications, including prerecorded messages, Direct Marketing Group directly accessed the information in Hiester's Dealersocket account/program and, on information and belief, used search criteria to determine which customers and information to request that the Dealersocket program electronically push selected and requested information to Direct Marketing Group. Direct Marketing Group would then send the marketing as they determined. To the extent responsive, see attached documents, Bates stamped DEF 2<sup>nd</sup> SUPP RPD DISC RESPONSE pp. 65-1540 which represent a collection of customer information gathered by Direct Marketing Group. Upon information and belief, these documents, pp. 65-1540, represent the total number of costumers pushed from Dealersocket to Direct Marketing Group over the period of time noted. Further, as noted in pp. 65-140, some of the consumers may not have been called or able to be reached for various reasons.

6. Identify the names of employees involved in creating the prerecorded messages.

SUPPLEMENTAL RESPONSE: None. The process and methods requested regarding content were managed by Direct Marketing Group, LLC.

Respectfully submitted this 31st day of March, 2022.

/s/ Robert A. Buzzard

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I electronically served the foregoing document on counsel for Plaintiff as follows:

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This 31st day of March 2022.

/s/ Robert A. Buzzard

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